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In re Application of	:	
KOHLER et al.	:	
Application No.: 10/088,222	:	DECISION ON
PCT No.: PCT/EP00/10043	:	PAPERS UNDER 37 CFR 1.42
Int. Filing Date: 12 October 2000	:	
Priority Date: 20 October 1999	:	
Attorney Docket No.: CO/2-22109/A/PCT	:	
For: PHOTOINITIATOR FORMULATIONS	:	

This is a response to applicants' declaration which is being treated as a submission under 37 CFR 1.42 filed 18 March 2002.

BACKGROUND

On 12 October 2000, applicants filed international application PCT/EP00/10043, which claimed a priority date of 20 October 1999. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 14 October 1999. A Demand was filed with the International Preliminary Examining Authority electing the United States. The election was made prior to the expiration of nineteen months from the priority date.

On 18 March 2002, applicant filed a transmittal letter for entry into the national stage in the United States accompanied, inter alia, by: the basic national fee; a copy of the international application; and an executed declaration. The declaration was executed by: Michael Beat Aebli; Martin Holer; and Ernst Eckstein as inventors and Vivian Kohler; Inga Kohler; and Antonio Kamran Kohler as legal representatives on behalf of deceased inventor, Manfred Kohler.

DISCUSSION

37 CFR 1.42 *When the Inventor is Dead*, states, in part:

In case of the death of the inventor, the legal representative (executor, administrator, etc.) of the deceased inventor may make the necessary oath or declaration, and apply for and obtain the patent.

The declaration filed 18 March 2002 is executed by Vivian Kohler; Inga Kohler; and Antonio Kamran Kohler as the "legal representative" of the deceased inventor. The declaration is acceptable under 37 CFR 1.42 and complies with 37 CFR 1.497(a)-(b). Accordingly, the requirements for entry into national stage under 35 U.S.C. 371(c) were completed as of 18 March 2002.

CONCLUSION

The papers filed under 37 CFR 1.42 are ACCEPTED.

The application has an international filing date of 12 October 2000, under 35 U.S.C. 363, and a 35 U.S.C. 371(c) date of **18 March 2002**.

This application is being forwarded to the National Stage Processing Branch of the International Division for continued national stage processing.



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